IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 29TH NOVEMBER 2006 / 8TH AGRAHAYANA 1928

Bail Appl..No. 7021 of 2006()

CMP.8620/2006 of J.M.F.C.-II,KOTTARAKKARA
CR.NO.100/06 OF CHADAYAMANGALAM EXCISE RANGE.

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: PETITIONER/ACCUSED

BABU @ SANI BABU, S/O. RAGHAVAN,
AALUM MOOTTIL VEEDU, KODAVATTOOR,
ODANAVATTOM VILLAGE, KOTTARAKKARA TALUK,
KOLLAM DISTRICT.

BY ADV. SRI.SAJU.S.A

RESPONDENTS: RESPONDENT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

BAIL APPLICATION No. 7021 OF 2006

DATED THIS THE **29th** DAY OF NOVEMBER, 2006

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the accused in Cr.No.100/06 of Chadayamangalam Excise Range for offences punishable under Sections 8(1) and 8(2) of the Abkari Act, for having been found in possession of 8 liters of arrack on 6.11.2006, seeks his enlargement on bail. The petitioner was arrested on 7.11.2006.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

V.RAMKUMAR, JUDGE.

dsn/-